IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3119 OF 2007

Dukhakala Balandya Bhosale & Anr. ..Applicants

V/s.

The State of Maharashtra ..Respondent

Mr.M.S.Karnik for the applicants.

Ms.S.D.Shinde APP for the State.

CORAM : V.C.DAGA,J

Date : 22.10.2007.

PC

1. Heard the learned Counsel for the applicants and the learned APP for the State.

2. The applicants are seeking bail under Section 439 of Cr.P.C. in connection with C.R.No.I-32/2007 registered with Taluka Yeola Police Station for the offences punishable under Sections 3(i)(ii) 3 & 4 of MOCA.

3. Having heard both the parties, it is not in dispute that the number of C.R.'s involving identical offence had already pending against them. The factual aspect revealed that each time the accused persons are obtaining bail and once the bail is obtained, they commit the very same offence. This cycle is going on. Under these circumstances, in order to break this

cycle, interest of justice compels me to reject this application for bail.

4. Needless to mention that while granting bail the Court has to consider criminal antecedents of the applicants and the tendency to commit repeated offence. Since all material is available on record, I do not think this is a fit case for grant of bail. Application is rejected.

(V.C.DAGA,J)